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Note verbale dated 28 February 2017 from the Permanent Mission of Romania to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Romania to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit herewith the national report of Romania on the implementation of resolution 2321 (2016) (see annex).

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Annex to the note verbale dated 28 February 2017 from the Permanent Mission of Romania to the United Nations addressed to the Chair of the Committee

Report of Romania on the implementation of Security Council resolution 2321 (2016)

I. Legal background

On 30 November 2016, the Security Council adopted its resolution 2321 (2016) concerning the sanctions regime against the Democratic People's Republic of Korea, which expanded the ban on the supply, sale, transfer, export, procurement and import to new categories of goods and further tightened the restrictions on existing categories, expanded the restrictions on the transport sector and reinforced the inspections regime of goods arriving from or en route to the Democratic People's Republic of Korea, placed additional restrictions on the banking and financial sectors, restricted scientific and technical cooperation with the Democratic People's Republic of Korea and acted to further prevent and curtail illegal activities by officials and diplomats of the Democratic People's Republic of Korea.

Within the European Union, the listing of 11 persons and 10 entities by resolution 2321 (2016) was implemented by Council decision (CFSP) 2016/2217 and Commission Implementing Regulation (EU) 2016/2215.

The competent national authorities of Romania have updated their websites since the adoption of resolution 2321 (2016) in accordance with the changes ushered in by its provisions.

II. Implementation of the sanctions regime

The competent national authorities were notified without delay after the adoption of resolution 2321 (2016), and they have taken measures conducive to the implementation and supervision of the sanctions regime.

A. Restrictions on the supply, sale, transfer, export, procurement and import of certain categories of goods

The prohibitions concerning nuclear- and/or missile-usable items (para. 4 of resolution 2321 (2016)) and goods on the conventional arms dual-use list (para. 7) are being implemented by the National Authority for Export Controls. The Ministry of Business Environment, Commerce and Entrepreneurship has taken note of the prohibitions concerning luxury goods (para. 5); coal, copper, nickel, silver and zinc (para. 26); statues (para. 29); and new helicopters and vessels (para. 30). The National Authority organized an awareness session in which it presented the embargoes imposed by resolution 2321 (2016) to economic operators involved in the production and sale of dual-use goods and to export control authorities.

Furthermore, the National Bank of Romania and the Financial Supervisory Authority of Romania have been notified of the restrictions concerning the provision of services related to the above-mentioned goods.

The Directorate General for Customs has implemented specific measures for the control and supervision of goods entering and exiting Romania, in line with para. 6 of the resolution.

B. Travel ban and asset freeze

The implementation of and compliance with the restrictions provided by paras. 3, 15 and 25 of resolution 2321 (2016) are subject to the continuous monitoring of the Ministry of Internal Affairs and the Ministry of Foreign Affairs (travel bans). Thus, the new listings have been implemented in the relevant databases for the issuance of visas and for border control. Furthermore, the Romanian Civil Aviation Authority shall not grant permission for the overflight of listed persons.

The National Agency for Fiscal Administration and the National Bank of Romania are the competent national authorities for the implementation and supervision of the asset freezes enshrined in para. 3. All banks operating in the territory of Romania have been informed, and while there were no assets falling under the ambit of para. 3, the implementation of this measure is subject to continuous supervision.

C. Restrictions concerning the activities of embassies/consular posts and diplomats/consular officers of the Democratic People's Republic of Korea

Para. 14 of resolution 2321 (2016) provides for a reduction in the number of staff at diplomatic missions and consular posts of the Democratic People's Republic of Korea in the territories of the Member States. Para. 16 of resolution 2321 (2016) restricts the number of bank accounts to one per embassy/consular post and one per diplomat/consular officer in each host State. On the date of the adoption of resolution 2321 (2016), the Embassy of the Democratic People's Republic of Korea in Bucharest had multiple bank accounts opened at banks registered in Romania. Following the measures taken by the National Bank of Romania, in coordination with the banks concerned, the Embassy of the Democratic People's Republic of Korea has been notified of the need to respect the provisions of para. 16. Furthermore, para. 18 of resolution 2321 (2016) bars the Democratic People's Republic of Korea from using real property that it owns or leases for any purpose other than diplomatic or consular activities. At the time of the adoption of resolution 2321 (2016), the Embassy of the Democratic People's Republic of Korea in Bucharest was renting buildings within its premises to certain entities.

The Embassy of the Democratic People's Republic of Korea was notified through diplomatic channels of the need to comply with these restrictions. Measures to ensure conformity are being taken, while a review of the number of staff at the Embassy in Bucharest is subject to the scope of the functions of each diplomat of that country; two diplomats at the Embassy are charged with administering bilateral relations with three other European States, while the Ambassador and the Second Secretary administer bilateral relations with Romania.

D. Restrictions on teaching, training, scientific and technical cooperation

There are no students from the Democratic People's Republic of Korea in Romania enrolled in programmes that contravene para. 10 of resolution 2321

(2016). Furthermore, there is no scientific and technical cooperation under way with the Democratic People's Republic of Korea.

E. Catch-all inspections

The implementation of the inspections provided for by para. 20 of resolution 2321 (2016) is carried out by the Directorate General for Customs and the Ministry of Internal Affairs. The enforcement of said restrictions is subject to continuous scrutiny by the competent national authorities.

F. Restrictions on air and maritime transport

The specialized authorities, that is, the Romanian Naval Authority and the Romanian Civil Aviation Authority, under the Ministry of Transport are tasked with the implementation and supervision of the restrictions enshrined in paras. 8, 9, 22, 23 and 24 of resolution 2321 (2016). Thus, all Romanian aircraft operators and naval service providers have been informed of the relevant provisions of resolution 2321 (2016).

G. Financial sanctions

The sanctions that concern the financial and banking sectors, as set out in paras. 31 to 33 of resolution 2321 (2016), and the provision banning the relevant services linked to prohibited goods and activities, are subject to careful scrutiny by the National Agency for Fiscal Administration, the National Bank of Romania and the Financial Supervisory Authority. The banks have been instructed by the National Bank of Romania to comply with the measures imposed by the resolution, and most banks have incorporated a ban on business relations with the Democratic People's Republic of Korea into their internal regulations.

The Financial Supervisory Authority has instructed the economic operators under its sphere of control on the restrictions concerning the conclusion of insurance contracts and the provision of public or private financial support.

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